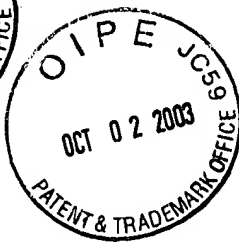


# ReedSmith

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10-03-03

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October 2, 2003

Commissioner of Patents Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Patent Application Serial No. 09/723.324  
Personalized Account Planning System  
Attorney Docket No. 00-40323-US (500323.20001)

RECEIVED  
OCT 21 2003  
Technology Center 2100

Dear Sir:

Enclosed for filing in connection with the above-referenced patent application are the following documents:

1. Petition to Make Special Because of Actual Infringement (1 page);
2. Declaration In Support of Petition to Make Special Because of Actual Infringement (3 pgs.);
3. A check in the amount of 130.00 for the filing fee.

Kindly acknowledge receipt of these documents by returning the enclosed self-addressed, stamped post card to me.

The Commissioner is hereby authorized to charge any additional fees required in connection with this filing to Account No. 18-0586.

Sincerely,

REED SMITH LLP

Thomas J. McWilliams

Enclosure

**EXPRESS MAIL CERTIFICATE (37 CFR 1.10)**

Express Mail Label No. EV319936233US

Date of Deposit October 2, 2003

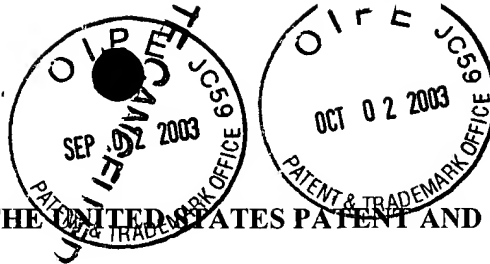
I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA. 22313-1450.

Name Judith A. Zweig

Signature

LONDON ♦ NEW YORK ♦ LOS ANGELES ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND ♦ PRINCETON  
FALLS CHURCH ♦ WILMINGTON ♦ NEWARK ♦ MIDLANDS, U.K. ♦ CENTURY CITY ♦ RICHMOND ♦ HARRISBURG ♦ LEESBURG ♦ WESTLAKE VILLAGE

r e e d s m i t h . c o m



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tomy K. Isaac  
Mark Kasiraja

:  
: Attorney Docket No. 00-40323-US

Serial No. 09/723,324

:  
: Examiner: Not Yet Assigned

Filed: November 27, 2000

:  
: Art Unit: Not Yet Assigned

For: Personalized Account Planning System

:

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

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OCT 21 2003

Technology Center 2100

Sir:

Applicant in the above-identified application hereby Petitions to Make Special the above-referenced application, due to actual infringement by a third party. A Declaration in Support of this Petition accompanies this Petition, and forms a part hereof.

Please find enclosed a check in the amount of \$130.00 for the cost for this Petition.

Please charge any additional fees, or credit any overpayment, to deposit account #18-0586.

Respectfully submitted,

REED SMITH LLP

Thomas L. McWilliams  
Reg. No. 44,930  
2500 One Liberty Place  
1650 Market Street  
Philadelphia, PA 19103-7301  
Attorneys for Applicant

10/09/2003 MBIZUNES 00000058 09723324

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130.00 OP

EXPRESS MAIL CERTIFICATE (37 CFR 1.10)

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Date of Deposit Oct 2, 2003

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Name

JUDITH A ZWEIF

Signature

Judith A. Zweif

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tomy K. Isaac and  
Mark Kasiraja

Serial No.: 09/723,324

Filed: November 27, 2000

Title: PERSONALIZED  
ACCOUNT PLANNING  
SYSTEM

Attorney Docket No.: 00-40323-US

Examiner: Not yet assigned

Art Unit: Not yet assigned

RECEIVED

OCT 21 2003

DECLARATION IN SUPPORT OF PETITION TO MAKE  
SPECIAL BECAUSE OF ACTUAL INFRINGEMENT

Technology Center 2100

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

1. I, Thomas Isaac, am a named inventor of the above-referenced patent application.  
I am additionally the CEO of the assignee of the above-referenced application.

2. The above-referenced application is directed at least to a method for extracting organizational information from at least two service providers to form at least two organizational information protocols, wherein one organizational information protocol corresponds to each of the at least two service providers; providing a migration selection interface to a user; accessing a first at least one of the at least two service providers upon selection of the migration selection interface by the user; receiving, according to the organizational information protocol correspondent to the first at least one of the at least two service providers, of a first plurality of

information related to the user, upon said accessing a first at least one of the at least two service providers; accessing a second at least one of the at least two service providers upon selection of the migration selection interface by the user; and writing the first plurality of information to the second at least one of the at least two service providers according to the organizational information protocol correspondent to the second at least one of the at least two service providers, as claimed in claim 1 of the above-referenced application.

3. On or about September 11, 2003, I became aware that Earthlink, Inc, of 1375 Peachtree Street, Level A, Atlanta GA 30309, was marketing for sale and using a method for extracting organizational information from at least two service providers to form at least two organizational information protocols, wherein one organizational information protocol corresponds to each of the at least two service providers; providing a migration selection interface to a user; accessing a first at least one of the at least two service providers upon selection of the migration selection interface by the user; receiving, according to the organizational information protocol correspondent to the first at least one of the at least two service providers, of a first plurality of information related to the user, upon said accessing a first at least one of the at least two service providers; accessing a second at least one of the at least two service providers upon selection of the migration selection interface by the user; and writing the first plurality of information to the second at least one of the at least two service providers according to the organizational information protocol correspondent to the second at least one of the at least two service providers.

4. In my opinion, the rigid comparison of the claimed invention in Paragraph 2 and the method of Paragraph 3 above shows that at least claim 1 of the above-referenced application, as filed, is unquestionably infringed by Earthlink, Inc.

5. I have a good knowledge of the prior art relevant to the above-referenced patent application.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,

Dated: 9/26/03

Thomas Isaac

Thomas Isaac